

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MIKALAI LAMAKA,

Plaintiff,

- against -

MEMORANDUM AND ORDER

18-CV-7354 (ILG) (VMS)

RUSSIAN DESSERTS INC. AND
RAFAEL IBRAGIMOV,

Defendants.

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GLASSER, Senior United States District Judge:

Plaintiff Mikalai Lamaka brings this action against defendants Russian Desserts Inc. and Rafael Ibragimov for violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201 et seq. (“FLSA”); New York State Labor Law (the “NYLL”) and the regulations promulgated thereunder for failure to pay minimum and overtime wages and for failure to furnish accurate wage statements. This Court granted Plaintiff’s motion for default judgment after Defendants failed to answer or otherwise respond to his Amended Complaint, and referred the matter to Magistrate Judge Vera M. Scanlon for an inquest on damages and attorneys’ fees.

Currently before the Court is Magistrate Judge Scanlon’s unopposed February 12, 2021 Report and Recommendation (“R&R”) that Defendants be jointly and severally liable to Plaintiff for a total of \$39,744.00 in damages, comprising of (1) \$4,200.00 in unpaid wages; (2) \$10,368.00 in unpaid overtime wages; (3) \$14,568.00 in liquidated damages; (4) \$5,000 in statutory damages; (5) \$5,208.00 in attorneys’ fees; and (6) \$400.00 in costs. Magistrate Judge Scanlon also recommended that Plaintiff receive post-judgment interest, using the federal rate set forth in 28 U.S.C. § 1961, from the date the Clerk of Court enters judgment in this action until the date of payment.

In reviewing an R&R, a district court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(1). Where, as here, no timely objections have been made, a district court need only satisfy itself that there is no clear error on the face of the record when adopting a magistrate’s recommendation. See e.g., Joseph v. HDMJ Restaurant, 970 F. Supp. 2d 131, 138 (E.D.N.Y. 2013); Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001). The Court has reviewed the R&R and underlying record for clear error and found none. It therefore adopts Magistrate Judge Scanlon’s well-reasoned R&R in full.

The Clerk of the Court is respectfully directed to enter judgment against Defendants in the amount of \$39,744.00 plus post-judgment interest, using the federal rate set forth in 28 U.S.C. § 1961, from the date the Clerk of Court enters judgment in this action until the date of payment.

SO ORDERED.

Dated: Brooklyn, New York
May 27, 2021

_____/s/
I. Leo Glasser
Senior United States District Judge